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**SEP 22 2005**

**"PATENT"**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of David J. Baillargeon et al	) Before the Examiner Ellen M. McAvoy
U. S. Serial No. 09/498,793	) Confirmation Number: 9309
Filed: February 4, 2000	) Group Art Unit: 1764
Formulated Lubricant Oils Containing High-Performance Base Oils Derived From Highly Paraffinic Hydrocarbons	) Family Number: P2000J038

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REMARKS**

The Office Action of September 1, 2005 has been received and reviewed. This response is directed to that action.

**Claim Rejections - Double Patenting**

The Examiner rejected claims 1-4 and 6-43 under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent No. 6,090,989. A terminal disclaimer over the '989 patent is submitted herewith, thus obviating this rejection.

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the  
Commissioner for Patents facsimile number 1-571-273-8300 on the date shown below.

Kathleen A. Kuna  
Print name of person signing certification

Kathleen A. Kuna September 22, 2005  
Signature Date



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PATENT TRADEMARK OFFICE

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U.S. Serial No. 09/498,793  
Reply to Office communication: 09/01/2005  
Family Number P2000J038

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Applicants believe the claims of the present application are patentable and in condition for allowance, and respectfully request such favorable action. If any issues remain, the resolution of which may be resolved through a conference, the Examiner is invited to contact the Applicants' attorney at the number listed below.

Respectfully submitted,

*M. Marin*

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Pursuant to 37 CFR 1.34(a)

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MDM:kak  
9/21/2005

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